

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)
Assistant United States Attorney

450 Golden Gate Avenue
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: deborah.r.douglas@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-477-1 DLJ
)	No. CR 08-477-2 DLJ
Plaintiff,)	No. CR 08-477-3 DLJ
)	No. CR 08-477-4 DLJ
v.)	
EDITH NELSON,)	STIPULATION AND [] ORDER
RONALD NELSON,)	REGARDING THE ORDER OF PRIORITY
NELDA ASUNCION, and)	FOR RESTITUTION PAYMENTS
CRISTETA LAGAREJOS,)	
)	
Defendants.)	

Plaintiff United States of America, by and through its attorney of record, and defendants Edith Nelson, Ronald Nelson, Nelda Asuncion, and Cristeta Lagarejos, by and through their attorneys of record, hereby stipulate, as applicable to their respective client, that the attached proposed order correctly sets forth the parties' agreements and stipulations regarding the restitution amounts that the defendants owe jointly and severally, the victims who should be paid restitution, and the order of priority for payment of the restitution.

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1 IT IS SO STIPULATED.

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3 Dated: June 20, 2012

Respectfully submitted,

4 MELINDA HAAG
5 United States Attorney

6 /s/
DEBORAH R. DOUGLAS
7 Assistant United States Attorney

8 Dated: June 20, 2012

9 /s/
JOYCE LEAVITT
10 Assistant Federal Public Defender
Attorney for Defendant Edith Nelson

11 Dated: June 15, 2012

12 /s/
GILBERT EISENBERG
Attorney for Defendant Ronald Nelson

13 Dated: June 19, 2012

14 /s/
DEBORAH G. LEVINE
15 Attorney for Defendant Nelda Asuncion

16 Dated: June 18, 2012

17 /s/
JOHN J. JORDAN
Attorney for Defendant Cristeta Lajarejos

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
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UNITED STATES OF AMERICA,)	No. CR 08-477-1 DLJ
)	No. CR 08-477-2 DLJ
Plaintiff,)	No. CR 08-477-3 DLJ
)	No. CR 08-477-4 DLJ
v.)	
)	<input type="checkbox"/> ORDER FOR PRIORITY OF
EDITH NELSON,)	RESTITUTION PAYMENTS
RONALD NELSON,)	
NELDA ASUNCION, and)	
CRISTETA LAGAREJOS,)	
)	
Defendants.)	

On February 3, 2012, defendant Edith Nelson pled guilty to Conspiracy to Commit Bank Fraud and Wire Fraud, in violation of 18 U.S.C. § 1349; Monetary Transactions Using Criminaly Derived Property, in violation of 18 U.S.C. § 1957(a); Income Tax Evasion, in violation of 26 U.S.C. § 7201; and Harboring of an Illegal Alien, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii). On that same date, February 3, 2012, defendant Ronald Nelson pled guilty to Conspiracy to Commit Bank Fraud and Wire Fraud, in violation of 18 U.S.C. § 1349; Income Tax Evasion, in violation of 26 U.S.C. § 7201; and Harboring of an Illegal Alien, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii). Also on February 3, 2012, defendants Nelda Asuncion and Cristeta Lagarejos pled guilty to

1 Conspiracy to Commit Bank Fraud and Wire Fraud, in violation of 18 U.S.C. § 1349, and Monetary
2 Transactions Using Criminally Derived Property, in violation of 18 U.S.C. § 1957(a).

3 On May 10, 2012, this Court sentenced all four defendants pursuant to their plea agreements
4 under Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure. The agreed upon restitution
5 involved victims which are financial institutions and government entities, such as the Federal
6 Deposit Insurance Corporation and the Internal Revenue Service, as well as individual victims. This
7 Court granted the United States' request that the respective judgments indicate that the individual
8 victims have priority for payment of restitution over the lending institutions and government entities
9 pursuant to 18 U.S.C. § 3664(i). This Court directed that the parties submit stipulations and
10 proposed orders setting forth the order of priority for payment of restitution and the amount of
11 restitution owed to each victim.

12 Based upon the parties' stipulations and plea agreements, IT IS HEREBY ORDERED that
13 the restitution owed by the defendants (jointly and severally), the victims who shall be paid
14 restitution, and the order of priority for payment of restitution shall be as follows:

15 **A. TOTAL RESTITUTION**

- 16 1. Defendants Edith Nelson and Ronald Nelson shall pay restitution in the total amount
17 of \$5,223,476.90 (plus interest and penalties on the restitution owed for income tax
18 evasion) as follows:
 - 19 (a) \$3,384,368.54 for mortgage loan fraud;
 - 20 (b) \$292,862 plus interest and penalties for income tax evasion; and
 - 21 (c) \$1,546,246.40 for the back wages of employees and former employees, as
22 determined by the U.S. Department of Labor and agreed to by the parties.
- 23 2. Defendant Nelda Asuncion shall pay restitution in the total amount of \$2,838,868.54
24 for mortgage loan fraud.
- 25 3. Defendant Cristeta Lagarejos shall pay restitution in the total amount of \$318,500
26 for mortgage loan fraud.

B. PRIORITY FOR RESTITUTION PAYMENTS**1. Defendants Edith Nelson and Ronald Nelson**

If defendants Edith Nelson and Ronald Nelson make partial restitution payments, the individual victims of mortgage loan fraud as well as the individual victims who are owed back wages shall receive approximately proportional payments until full restitution is paid to all of the individual victims. After all of the individual victims are paid restitution in full, the financial institutions who are victims of mortgage loan fraud shall receive approximately proportional payments of restitution until full restitution is paid to those financial institutions. After all of the financial institution victims are paid restitution in full, the Federal Deposit Insurance Corporation (“FDIC”), a quasi-governmental entity, shall receive all restitution payments until the FDIC is paid in full. After the FDIC is paid full restitution, the Internal Revenue Service (“IRS”) shall receive all remaining payments until full restitution is made to the IRS, including interest and penalties on the taxes owed.

2. Defendant Nelda Asuncion

If defendant Nelda Asuncion makes partial restitution payments, the individual victims of mortgage loan fraud (to whom she is jointly and severally liable with defendants Edith Nelson and Ronald Nelson for payment of restitution) shall receive approximately proportional payments until full restitution is paid to those victims. After those individual victims are paid restitution in full, defendant Nelda Asuncion’s restitution payments shall be made to the financial institutions (to which she is jointly and severally liable with defendants Edith Nelson and Ronald Nelson) in approximately proportional payments until full restitution is paid to those financial institutions.

3. Defendant Cristeta Lagarejos

If defendant Cristeta Lagarejos makes partial restitution payments, those payments shall be made to the financial institutions (to which she is jointly and severally liable with defendants Edith Nelson and Ronald Nelson) in approximately proportional payments until full restitution is paid to those financial institutions.

C. RESTITUTION OWED JOINTLY AND SEVERALLY

1. First Priority for Restitution Payments to Individual Victims

The individual victims of mortgage loan fraud and the individual victims who are owed back wages shall receive approximately proportional payments until full restitution is paid to all fifty-five individual victims listed below:

a. Individual Victims of Mortgage Loan Fraud

Item No.	Defendants (Jointly & Severally Liable)	Joint & Several Restitution	Name of Victims
1	Edith Nelson, Ronald Nelson, & Nelda Asuncion	\$ 581,888.70	Robert Cueva
2	Edith Nelson, Ronald Nelson, & Nelda Asuncion	\$ 32,258.56	Cynthia Dinglasan and Redentor Dinglasan
3	Edith Nelson, Ronald Nelson, & Nelda Asuncion	\$ 400,000.00	Alicia Ferrer
4	Edith Nelson & Ronald Nelson	\$ 227,000	Dennis Duncan and Shawna Duncan
	Total Restitution	\$1,241,147.26	

b. Individual Victims Owed Back Wages

Item No.	Defendants (Jointly & Severally Liable)	Joint & Several Restitution	Name of Victims
1	Edith Nelson & Ronald Nelson	\$ 3,534.67	Mark Aguilar
2	Edith Nelson & Ronald Nelson	\$ 42.00	Patricia Aguon
3	Edith Nelson & Ronald Nelson	\$ 259.72	Jaime Alvarado
4	Edith Nelson & Ronald Nelson	\$ 506.53	Francisco J. Alvarez
5	Edith Nelson & Ronald Nelson	\$ 155.56	Patricia Argueta
6	Edith Nelson & Ronald Nelson	\$ 43,011.60	Arturo Bariuad
7	Edith Nelson & Ronald Nelson	\$ 1,412.08	Mary R. Bautista
8	Edith Nelson & Ronald Nelson	\$ 4,742.00	Rosebella Bort

9	Edith Nelson & Ronald Nelson	\$ 25,083.81	Lee Cabatingan
10	Edith Nelson & Ronald Nelson	\$132,811.77	Lorenzo Cannu
11	Edith Nelson & Ronald Nelson	\$ 8,783.60	Elenita Capito
12	Edith Nelson & Ronald Nelson	\$ 208.33	Porsche Collins
13	Edith Nelson & Ronald Nelson	\$ 88,016.32	Ariel Diaz
14	Edith Nelson & Ronald Nelson	\$ 400.00	Francisco Dimatulac
15	Edith Nelson & Ronald Nelson	\$ 400.00	Josephina Dimatulac
16	Edith Nelson & Ronald Nelson	\$ 2,479.87	Carlos Dowai
17	Edith Nelson & Ronald Nelson	\$ 583.33	John Dowai
18	Edith Nelson & Ronald Nelson	\$ 5,412.75	Rosita Dowai
19	Edith Nelson & Ronald Nelson	\$ 140.00	Taitano Esperanza
20	Edith Nelson & Ronald Nelson	\$ 156.00	Carmelita Flores
21	Edith Nelson & Ronald Nelson	\$ 1,659.72	Adlai Grutas
22	Edith Nelson & Ronald Nelson	\$ 1,659.72	Jay Grutas
23	Edith Nelson & Ronald Nelson	\$ 3,223.12	Katherine Grutas
24	Edith Nelson & Ronald Nelson	\$177,345.85	Jeanette Guillamun
25	Edith Nelson & Ronald Nelson	\$ 4,512.57	Norma Igueldo
26	Edith Nelson & Ronald Nelson	\$214,906.45	Susan Ilagan
27	Edith Nelson & Ronald Nelson	\$ 76,700.02	Maria Lejano
28	Edith Nelson & Ronald Nelson	\$ 3,461.19	Delia Macaraeg

29	Edith Nelson & Ronald Nelson	\$133,734.00	Anita Maranan
30	Edith Nelson & Ronald Nelson	\$ 223.20	Maggie Matagolai
31	Edith Nelson & Ronald Nelson	\$ 233.75	Maria Mendoza
32	Edith Nelson & Ronald Nelson	\$ 126.00	Ednalin Naldo
33	Edith Nelson & Ronald Nelson	\$ 276.00	Bernard Neth
34	Edith Nelson & Ronald Nelson	\$ 785.69	Lucia Ngitong
35	Edith Nelson & Ronald Nelson	\$ 444.44	Andrew Parabok
36	Edith Nelson & Ronald Nelson	\$ 1,730.00	Jose Razana
37	Edith Nelson & Ronald Nelson	\$ 79.20	Elaine Rios
38	Edith Nelson & Ronald Nelson	\$ 1,321.20	Vincent E. Rios
39	Edith Nelson & Ronald Nelson	\$139,685.54	Maria Rubio
40	Edith Nelson & Ronald Nelson	\$147,066.00	Marife Caro Perez (formerly Marife Rubio)
41	Edith Nelson & Ronald Nelson	\$218,329.54	Rogelio Rubio
42	Edith Nelson & Ronald Nelson	\$ 675.40	Ismael Sagge
43	Edith Nelson & Ronald Nelson	\$ 601.18	Steve Salazar
44	Edith Nelson & Ronald Nelson	\$ 856.25	Ronda Sugar
45	Edith Nelson & Ronald Nelson	\$ 2,515.75	Merly Taberna
46	Edith Nelson & Ronald Nelson	\$ 643.72	Vincent Taisacan
47	Edith Nelson & Ronald Nelson	\$ 223.94	Juanita Tanafranca
48	Edith Nelson & Ronald Nelson	\$ 93,101.11	Felicette Ugot

49	Edith Nelson & Ronald Nelson	\$ 1,985.99	Danilo Yu
	Total Restitution	\$1,546,246.40	

2. Second Priority for Restitution Payments to Financial Institutions

Item No.	Defendants (Jointly & Severally Liable)	Property	Loan #	Joint & Several Restitution	Name of Victim & Address for Payment of Restitution
1	Edith Nelson, Ronald Nelson, & Nelda Asuncion	130 El Cerro Court, Danville, CA	Countrywide Loan #125899432 & 125899440	\$248,145.39	Bank of America, N.A. - Payment Processing, Mail Stop: CA9-705-09-31, 1000 W. Temple Street, Los Angeles, CA 90012 B of A GCS-IS-MLI CSM Case # FACTS 07-50561
2	Edith Nelson, Ronald Nelson, & Nelda Asuncion	121 Warwick Drive, Walnut Creek, CA	Countrywide Loan #111292837 & 111292845	\$246,610.36	Bank of America, N.A. - Payment Processing, Mail Stop: CA9-705-09-31, 1000 W. Temple Street, Los Angeles, CA 90012 B of A GCS-IS-MLI CSM Case # FACTS 07-50561
3	Edith Nelson, Ronald Nelson, & Nelda Asuncion	4124 Forestview Avenue, Concord, CA	Countrywide Loan #101069226 & 101069234	\$122,563.24	Bank of America, N.A. - Payment Processing, Mail Stop: CA9-705-09-31, 1000 W. Temple Street, Los Angeles, CA 90012 B of A GCS-IS-MLI CSM Case # FACTS 07-50561
4	Edith Nelson, Ronald Nelson, & Nelda Asuncion	1772 Geary Road, Walnut Creek, CA	(1) Fremont Investment & Loan #7000212506 (2) America's Servicing Loan #7000212743	(1) \$147,289.78 (Restitution re: Principal Loan) (2) \$129,581.24 (Restitution re: Second Loan)	(1) Signature Group Holdings, 15303 Ventura Blvd, Suite 1600, Sherman Oaks, CA 91403 (2) Wells Fargo Mortgage, MAC# X2303-048, 1 Home Campus, 4 th Floor, Des Moines, IA 50328
5	Edith Nelson, Ronald Nelson, & Cristeta Lagarejos	2852 Stratford Drive, San Ramon, CA	WMC #11181857	\$104,000	Wells Fargo Mortgage, MAC# X2303-048, 1 Home Campus, 4 th Floor, Des Moines, IA 50328
6	Edith Nelson, Ronald	1785 Thornwood	PMC Bancorp	\$214,500	CitiMortgage, Inc. Fraud Prevention &

	Nelson, & Cristeta Lagarejos	Drive, Concord, CA	Loan #770853051		Investigation, MS 367, 1000 Technology Drive, O'Fallon, MO 63368
	Total Restitution			\$1,212,690	

3. Third Priority for Restitution Payments to the FDIC

Item No.	Defendants (Jointly & Severally Liable)	Property	Loan #	Joint & Several Restitution	Name of Victim & Address for Payment of Restitution
1	Edith Nelson, Ronald Nelson, & Nelda Asuncion	2267 Shannon Lane, Walnut Creek, CA	Washington Mutual Loan #6508478	\$293,038.00	FDIC as Receiver for Washington Mutual Restitution Payments, P.O. Box 971774, Dallas, TX 75397-1774
2	Edith Nelson, Ronald Nelson, & Nelda Asuncion	1213 St. Elizabeth Court, Concord, CA	Washington Mutual Loan # 0729406322 & 0729406421	\$637,493.27	FDIC as Receiver for Washington Mutual Restitution Payments, P.O. Box 971774, Dallas, TX 75397-1774
	Total Restitution			\$930,531.27	

4. Last Priority for Restitution Payments to the Internal Revenue Service

Defendants (Jointly & Severally Liable)	Joint & Several Restitution	Address for Payment of Restitution
Edith Nelson & Ronald Nelson	\$292,862 plus interest and penalties	Internal Revenue Service -RACS Attn: Mail Stop 6261 Restitution 333 West Pershing Avenue Kansas City, Missouri 64108

IT IS SO ORDERED.

Dated: June 6, 2012

HONORABLE D. LOWELL JENSEN
SENIOR UNITED STATES DISTRICT JUDGE